

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

DARYL J. CARTER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C. A. No. 07-00517****
	)	
STANLEY W. TAYLOR, individually;	)	JURY TRIAL DEMANDED
RAPHAEL WILLIAMS, individually;	)	
SITTA B. GOMBEH-ALIE, M.D., individually;	)	
MUHAMMAD ARIF NIAZ, M.D., individually;	)	
CORRECTIONAL MEDICAL SERVICES, INC;	)	
CORRECTIONAL MEDICAL SERVICES OF DE,	)	
INC., JOHN DOE MEDICAL PERSONNEL; and	)	
JOHN DOE CORRECTIONAL PERSONNEL,	)	
	)	
Defendants.	)	

**MOTION TO WITHDRAW ENTRY OF APPEARANCE AND ANSWER TO  
COMPLAINT (D.I. 15, 16)**

COMES NOW, Ophelia M. Waters, undersigned counsel, and moves this Honorable Court for leave to withdraw as counsel of record and withdraw the answer inadvertently filed on behalf of Defendant Williams. In support of this motion, counsel states the following:

1. Due to an internal office miscommunication, the undersigned attorney entered her appearance on a case for which another attorney had been assigned in the above captioned matter;
2. The undersigned attorney has received consent to withdraw as counsel, and
3. Deputy Attorney General Niedzielski from the Delaware Department of Justice has at all relevant times been conferring with plaintiff's counsel in this matter, and will enter an

appearance and file a responsive pleading on behalf of State Defendants.

WHEREFORE, undersigned counsel respectfully requests that this Honorable Court grant her leave to withdraw the answer (D.I.16) filed and as counsel of record (D.I.15) in this matter.

**STATE OF DELAWARE  
DEPARTMENT OF JUSTICE**

/s/ Ophelia M. Waters

Ophelia M. Waters, Bar. I.D. 3879  
Deputy Attorney General  
820 North French Street, 6<sup>th</sup> Floor  
Wilmington, Delaware 19801  
(302)577-8400

Dated: October 18, 2007

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

DARYL J. CARTER,	)	
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Plaintiff,	)	
	)	
v.	)	C. A. No. 07-00517****
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RAPHAEL WILLIAMS, individually;	)	
SITTA B. GOMBEH-ALIE, M.D., individually;	)	
MUHAMMAD ARIF NIAZ, M.D., individually;	)	
CORRECTIONAL MEDICAL SERVICES, INC;	)	
CORRECTIONAL MEDICAL SERVICES OF DE,	)	
INC., JOHN DOE MEDICAL PERSONNEL; and	)	
JOHN DOE CORRECTIONAL PERSONNEL,	)	
	)	
Defendants.	)	

**ORDER**

AND NOW TO WIT, this \_\_\_\_\_ day of \_\_\_\_\_, 2007, the foregoing **Motion to Withdraw as Counsel of Record and Withdraw the Answer to Complaint (D.I. 15, 16)** having been considered, it is hereby ORDERED that the motion is GRANTED.

\_\_\_\_\_  
Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on October 18, 2007, I electronically filed *Withdrawal of an Entry of Appearance and Withdrawal of Answer to Complaint* with the Clerk of Court using CM/ECF which will send notification of such filing to the following:

Michael Sensor, Esquire  
Perry & Sensor, Suite 560  
First Federal Plaza  
Wilmington, DE 19899-1568

**STATE OF DELAWARE  
DEPARTMENT OF JUSTICE**

/s/ Ophelia M. Waters  
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Deputy Attorney General  
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